

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Confirmation No.: 6186

Anderson et al.

Group Art Unit: 2836

Serial No.: 10/690,946

Examiner: Cavallari, Daniel J.

Filed: October 22, 2003

Docket No. A-8764 (191920-1990)

For: **SYSTEMS AND METHODS FOR SWITCHING TO A BACK-UP POWER SUPPLY**

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop: Issue Fee
P.O. Box 1450
Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.312, please consider the following remarks. It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

REMARKS

Comments on Statement of Reasons for Allowance

The Statement of Reasons for Allowance in the 7/28/2006 and the 1/24/2008 Office Actions includes some broad conclusory statements that may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicants provide the following comments.

First, Applicants assert that there are multiple grounds supporting allowance of the presently pending claims, including grounds in addition to those stated in the Statement of Reasons for Allowance. Accordingly, it should not be assumed that Applicants agree with the accuracy of the characterizations of the cited references and/or the claim elements in the Statement of Reasons for Allowance.

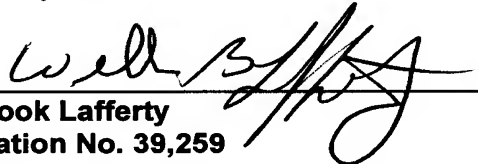
Second, in accordance with 35 U.S.C. Section 282: "Each claim of a patent (whether in independent, dependent, or multiple dependent form) shall be presumed valid independently of the validity of other claims; dependent or multiple dependent claims shall be presumed valid even though dependent upon an invalid claim." Thus, any dependent claims that are not addressed by the Statement of Reasons for Allowance should not rise or fall, when construed in terms of validity, with their respective independent claims, but instead should be construed independently of their respective independent claims.

Third, the scope and validity of each claim (whether in independent, dependent, or multiple dependent form) should be determined based upon the entire combination of elements/features/steps in each claim, as opposed to only the particular feature or features pointed out by the Statement of Reasons for Allowance.

CONCLUSION

Applicants respectfully acknowledge and approve of the Examiner Amendments. If, in the opinion of the Examiner, a telephonic conference would expedite entry of the foregoing amendments, the Examiner is invited to call the undersigned attorney at (770) 236-2114.

Respectfully submitted,



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